

**IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF ALABAMA
SOUTHERN DIVISION**

**U.S. BANK NATIONAL
ASSOCIATION N.D.,**

Plaintiff,

VS.

**TOMPKINS & SOMMA LLC, et
al.,**

Defendants.

Civil Action Number
2:09-cv-1823-AKK

ORDER

On January 25, 2012, the Magistrate Judge issued his report and recommendation, doc. 114, regarding Defendant Marc Anthony’s (“Anthony”) motion for summary judgment, doc. 81. Although Anthony was advised of his right to file specific written objections within fifteen days, doc. 114, at 16, he has not responded to the report and recommendation.

Having carefully reviewed and considered *de novo* all the materials in the court file, including the report and recommendation, the court is of the opinion that the Magistrate Judge's report is due to be and hereby is **ADOPTED** and his recommendation is **ACCEPTED**. It is, therefore, **ORDERED** that Anthony's motion for summary judgment, doc. 81, is **DENIED**.

DONE the 15th day of February, 2012.

A handwritten signature in black ink, appearing to read "Abdul Kallon", written over a horizontal line.

ABDUL K. KALLON
UNITED STATES DISTRICT JUDGE